

**BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION**

In the Matter of the Revocation	)	
	)	
or Suspension of the Educator	)	CONSENT ORDER OF
	)	
Certificate of Robert G. Janes	)	SUSPENSION
	)	
Certificate # 144291	)	

**SUMMARY OF THE CASE**

The South Carolina State Board of Education (State Board) considered this matter on October 7, 2003. On February 4, 2003, the State Department of Education (Department) sent a notice of the possible suspension or revocation of his South Carolina educator certificate number 144291 (certificate) to Mr. Robert G. Janes by certified mail, return receipt requested, delivery restricted to addressee. Mr. Janes received the notice as evidenced by a postal receipt bearing his signature. Mr. Janes initially requested a hearing, but subsequently agreed through his attorney, Kenneth L. Mitchum, Esquire, to resolve this matter without a hearing by agreeing to the following terms: (1) his certificate will be suspended from October 15, 2002, through June 1, 2004, and (2) the suspension will be reported to all school districts in South Carolina and to the NASDTEC Clearinghouse as a suspension with the statutory grounds listed as "unprofessional conduct." After receiving the settlement recommendation and reviewing the evidence provided, the State Board voted to accept the recommendation of the parties to suspend Mr. Janes's certificate as set forth above.

Mr. Janes holds a valid South Carolina certificate, and has over 17 years of teaching experience. He was under contract with the Georgetown County School District (District) for the 2002-2003 school year as a teacher at Waccamaw High School. In October 2002, the District suspended Mr. Janes following the discovery of improper nude images of females on computers owned by the District and entrusted to Mr. Janes. SLED investigated this matter and the Solicitor concluded there was no evidence of criminal activity on the District's computers. Mr. Janes resigned his position on January 7, 2003.

A District computer in Mr. Janes's classroom contained photographs of nude females. A few students stated that Mr. Janes spent class time on the computers in his classroom. A few students complained about the subject matter of some classroom comments made by Mr. Janes. Mr. Janes was previously warned by his principals on two occasions, one in 1996 and one in 1999,

Approved  
By:

Robert  
G. Janes

\_\_\_\_\_  
Initial  
here

\_\_\_\_\_  
Date

that he should be more careful in his classroom to make sure that materials and topics that could be offensive to some students were not discussed in his classroom.

### **CONCLUSIONS OF LAW**

“The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person.” S.C. Code Ann. § 59-25-150 (1990). Just cause includes: “Unprofessional conduct.” S.C. Code Ann. § 59-25-160 (1990); 24 S.C. Code Ann. Regs. 43-58 (1992). After considering the evidence provided and the proposal agreed to by the parties, the State Board finds there is substantial evidence to support the suspension of Mr. Janes’s certificate from October 15, 2002, through June 1, 2004.

South Carolina State Board of Education

By: /S/ Greg Killian  
Greg Killian  
Chair

Columbia, South Carolina  
October 7, 2003

I, Robert G. Janes, SC Teaching Certificate # 144291, do hereby agree to this Order of Suspension, consisting of two pages and understand that this Order will be presented as assigned to the State Board of Education on Tuesday, October 7, 2003.

10/06/03  
Date

/S/ Robert G. Janes  
Signature